

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

**DIBY AKO**

**PLAINTIFF**

vs.

No. 3:22-cv-1751-S

**ARRIVA BEST SECURITY, INC,  
and AMOIFO KOFFI**

**DEFENDANTS**

**DECLARATION OF DIBY AKO**

I, Diby Ako, do hereby swear, affirm and attest as follows, based upon my personal knowledge of the matters contained herein:

1. My name is Diby Ako, and I am over the age of eighteen (18) and duly qualified to execute this declaration.
2. I am a resident and domiciliary of the District of Columbia.
3. The statements in this declaration are based upon my own personal knowledge.
4. Defendant Arriva Best Security, Inc. ("ABS") is a foreign for-profit corporation that provides security services to primarily commercial customers.
5. ABS's registered agent for service of process is Amoifo Koffi ("Koffi" together with ABS "Defendants"), 9330 LBJ Freeway, Suite 900, Dallas, Texas 75243.
6. Based on my interactions with Defendant Koffi, I believe Mr. Koffi is at least 40 years old and not incompetent.
7. ABS is a multi-state operation that contracts with businesses around the country to provide onsite security guard and fire watch services.

8. ABS's main office is in Richardson, Texas, but they also have an office in Beverly Hills, California.

9. I was employed by Defendants as a fire watch services guard from September of 2020 until September of 2021.

10. As a fire watch services guard, my primary duties were to inspect Defendants' customers' work sites for fire hazards, to report any potential fire risks, and to monitor to ensure there were no fires.

11. From September of 2020 until August of 2021, I worked for Defendants in the Dallas-Forth Worth metroplex area. In August of 2021, I was reassigned to Alexandria, Virginia, where I continued working as a fire watch services guard until I resigned in September of 2021.

12. Mr. Koffi, in his role as an operating employer of ABS, exercised supervisory authority over my work, including the day-to-day job duties that my job entailed, determined my work schedule, and made decisions regarding my pay, or lack thereof.

13. When I worked in Texas and Virginia, Mr. Koffi was based out of ABS's California office. He would regularly call me from California to ask for site updates and to provide me with work instructions in order to ensure I was doing my job correctly and that there were no issues with the services ABS was contracted to provide at the site.

14. When I had general questions or issues about my employment, I would communicate with Defendants' Office Manager, Vanessa Rangel, who is in Defendants' California office. Exhibit A.

15. Defendants promised to pay me \$15.00 per hour. Exhibit B.

16. I asked to be paid what I was owed many times, but Defendants failed to pay me for any hours worked.

17. I regularly worked 100 hours per week.

18. The work I performed did not include integrated coursework from an educational institution.

19. The work I performed displaced the work of paid employees.

20. Defendants failed to pay me a proper minimum wage for all hours worked and a proper overtime premium for hours worked over forty each week.

21. Defendants owe me a total of \$105,560.00, which is shown by a calculation of damages that is submitted as Exhibit 3. I am owed \$52,780.00 in back wages for unpaid minimum wages, and under the liquidated damages provisions of the Fair Labor Standards Act I am owed \$52,780.00 in liquidated damages, or an amount equal to the back wages, for Defendants knowingly failing to pay me a lawful minimum wage or overtime premium.

**PURSUANT TO 28 U.S.C. § 1746, I VERIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT.**

Dated this 11th day of April, 2024.

*Diby Bertrand AKO*

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Diby Ako

Employment verification Diby Ako Inbox**Vanessa Rodriguez** <manager@arrivabestsecurity.net>

to me, Arriva



Tue, Sep 7, 2021, 5:50 PM



Dear Diby,

On behalf of Arriva Best Security, I would like to extend our appreciation for the amazing work done. The endless hours that you have spent working, and the professionalism that you have shown has impressed the entire team immensely.

Your diligence, self-motivation as well as dedication have been a source of inspiration for the rest of the team.

Thank you once again for all your effort.

Best regards,

Vanessa and Mr.Koffi

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**Vanessa Rangel Rodriguez**

Office Manager

Arriva Best Security, Inc  
9465 Wilshire Blvd,  
Suite 300  
Beverly Hills, CA 90212  
California License. PPO11994  
Office: 214 903-5369  
Direct: 310 974-0629

## Employment Verification for Current Employee

Arriva Best Security, Inc.  
433 N. Camden DR  
Suite 400 Unit 101  
Beverly Hills, CA 90210  
(323) 915-5285  
September, 7 2021

Diby Bertrand AKO  
Job Title: Security Guard  
739 22<sup>ND</sup> ST SOUTH  
Arlington, Virginia 22202  
415 894-7350

### TO WHOM IT MAY CONCERN:

This letter is to inform that, Diby Ako, is employed with Arriva Best Security full-time and on a permanent basis. He has been working here about a year and is not on a probationary basis.

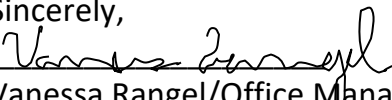
Position Held: Security Guard  
Duties performed: Greeting customers.  
Observe and report.

Pay rate per Hour: \$15.00.  
Number of working hours: 100 Hrs. Per week.  
Per Month: \$6,000.00

We are pleased to inform you that, Diby Ako, is punctual, honest, precise, hardworking, and an asset to our company.

Please feel free to contact our Office Manager at (310) 974-0629, if you need any further details.

I Vanessa/Office Manager, stated that the details provided above are true and correct to the best of my/our knowledge.

Sincerely,  
  
Vanessa Rangel/Office Manager